

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 172, A bill to be entitled "An Act to provide the method of preparing statement of facts in all cases appealed or taken up on writ of error, and for the consideration of same by the appellate courts, and for the inclusion therein of bills of exception, and for the repeal of all laws or parts of laws in conflict with this Act."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 272, A bill to be entitled "An Act amending Section 4 of Chapter 29 of the General Laws of the Second Called Session of the Thirty-eighth Legislature so as to exempt from the inheritance tax therein provided, bequests and devises passing to public charities, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 287, A bill to be entitled "An Act to amend Chapter 3 of Title 118 of the Revised Civil Statutes of Texas of 1911, relating to the filing of notice of pendency of suit, by adding thereto Article 6840½, so as to provide for the cancellation of such

notice of pendency of suit by the court in which the suit or action is pending, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

BAILEY, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 196 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 233 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, Feb. 13, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 175 carefully examined and compared, and find the same correctly enrolled, and have this day at 11:45 o'clock a. m. presented same to the Governor for her approval.

FLOYD, Chairman.

TWENTY-SEVENTH DAY.

Senate Chamber,

Austin, Texas,

Tuesday, February 17, 1925.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.
Berkeley.
Bledsoe.
Bowers.
Davis.
Fairchild.
Floyd.

Hardin of Kaufman.
Holbrook.
Miller.
Moore of Hunt.
Moore of Cooke.
Murphy.
Parnell.

Parr.	Stuart.
Pollard.	Triplett.
Price.	Ward.
Real.	Wirtz.
Reid.	Witt.
Russek.	Wood.
Smith.	Woodward.
Strong.	

Absent—Excused.

Hardin of Erath. Lewis.

Prayer by Rev. Edward Owers of Austin.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Bills and Resolutions.

By Senator Fairchild:

S. B. No. 322, A bill to be entitled "An Act to amend Section 1, Chapter 56, of the Acts of 1915, Acts of the Thirty-fourth Legislature, exempting heads of departments and executives from the operation of Chapter 56 of the Thirty-fourth Legislature, and defining "heads of departments" and "executives" as used in said Act, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Davis:

S. B. No. 323, A bill to be entitled "An Act providing for the collection and preservation of historic information, data, relics, grounds, the erection of monuments in the interest of history; amending Chapter 23 of the General Laws of the Second Called Session of the Thirty-eighth Legislature; creating the Texas Historical Board; defining its powers and duties; fixing the tenure of office of its members; making an appropriation for the contingent expenses of such board, and declaring an emergency."

Read first time and referred to Committee on Finance.

By Senator Witt:

S. B. No. 324, A bill to be entitled "An Act amending Article 302 of the Penal Code of the State of Texas so as to permit the sale of gasoline and lubricants on Sunday, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Murphy:

S. B. No. 325, A bill to be entitled "An Act to authorize the establishment of co-operative credit associations for the purpose of promoting thrift among their members, of providing the members with loans for productive or remedial purposes at reasonable rates of interest, of fostering the co-operative spirit, and for other purposes."

Read first time and referred to Committee on State Affairs.

By Senator Holbrook:

S. B. No. 326, A bill to be entitled "An Act providing that the fact that any juror who is a member of and belongs to any secret organization which conceals or attempts to conceal the identity of its membership from the public at large, whether said organization be fraternal, political, or otherwise, shall hereafter be a sufficient and lawful ground for challenge for cause for any such juror when made by any party to any law suit, civil or criminal, and declaring an emergency."

Read first time and referred to Committee on Criminal Jurisprudence.

By Senator Parnell, et al:

S. B. No. 327, A bill to be entitled "An Act relating to water improvement districts and providing that lands admitted to a water improvement district organized or operating under Section 59, Article 16 of the State Constitution may be admitted upon agreement that same be taxed upon assessment of benefit plan or upon a uniform acreage basis or upon a definite annual payment; providing that in the collection of delinquent taxes the attorney's fees of not to exceed 10% of such taxes shall be added to same and judgment may be recovered therefor, and that publication of delinquent tax rolls is not prerequisite to the filing of such suits; amending Section 72, Chapter 87, Acts of the Regular Session of the Thirty-fifth Legislature as amended by Section 1, Chapter 58, Acts of the Regular Session of the Thirty-eighth Legislature, and being Article 7718 of the Revised Civil Statutes of 1925, providing for the election of five directors for a district and that in certain districts, containing not to exceed 12,000 acres of land in which 60% or more of the lands are owned

by persons who do not reside in the district in which the petition for organization so provides such directors shall be appointed by the county commissioners' court and the procedure thereof; providing that assessments of a water improvement district for maintenance and operation shall be a lien against the lands assessed and shall not be barred by limitation; amending Section 83, Chapter 87, Acts of the Regular Session of the Thirty-fifth Legislature, and being Articles 7732 to 7736, inclusive, of the Revised Civil Statutes of 1925, providing that lands in an adjoining county may be added to a district in the same manner as if situated in the same county, providing a water improvement district may file reports and make audits for each calendar year, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Holbrook.

S. B. No. 328, A bill to be entitled "An Act creating the Rosenberg Independent School District in Fort Bend County, Texas; defining its metes and bounds; including the territory of the former Rosenberg Independent School District heretofore created under the General Laws of this State, and that certain territory added thereto by special Act of the Thirty-fifth Legislature; providing a board of trustees therefor, which shall manage and control the affairs of the district; vesting the district and the board of trustees thereof with rights, powers, duties and privileges of an independent school district; incorporated for public free school purposes only, providing that the outstanding bonded indebtedness of the district shall remain in force and effect against the territory which voted same; providing that the board of trustees of the district as created by this Act, may, without being petitioned, order an election to determine whether the district as a whole shall assume the outstanding indebtedness; providing that the local maintenance and other tax heretofore voted shall be continued in force and effect until such time as the same may be changed by the qualified voters of the district; validating a certain bond issue and the election authorizing same; authorizing the board of trustees to perform all acts necessary to issue said bonds and providing sufficient tax therefor; providing that if any clause or provision of this Act be declared unconstitutional,

such action by the court shall not invalidate the remaining provisions thereof, and declaring an emergency."

Read first time and referred to Committee on Educational Affairs.

By Senators Bledsoe and Moore of Hunt:

S. B. No. 329, A bill to be entitled "An Act to exempt nominations by political parties of candidates for judicial offices above the grade of county judge from the requirements and operation of the primary election laws."

Read first time and referred to Committee on State Affairs.

By Senator Woodward:

S. B. No. 330, A bill to be entitled "An Act to amend Chapter 90, Page 185, of the General Laws of the State of Texas, passed by the Thirty-eighth Legislature, at its regular session in 1923, the same being an Act to reorganize the Thirty-fifth Judicial District of Texas, to name the counties composing such Thirty-fifth Judicial District of Texas, and to fix the time for holding court in the counties composing said district; to provide for the execution and return of process issued out of said court; fixing the time when this Act becomes effective, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

Read first time and referred to Committee on Judicial Districts.

By Senator Bailey:

S. B. No. 331, A bill to be entitled "An Act to fix and determine the fees to be charged by the clerks of the district courts in counties in this State having a population of less than 37,000, according to the U. S. census of 1920 for entering and recording judgments foreclosing liens on real estate in delinquent tax suits, repealing all laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Bailey:

S. B. No. 332, A bill to be entitled "An Act to amend Article 3720 of Chapter 1 of Title 54 of the Revised Statutes of 1911, so as to provide how executions shall issue when a sole plaintiff or one of several plaintiffs shall die after judgment, repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Read first time and referred to Committee on Civil Jurisprudence.

By Senator Floyd:

S. B. No. 333, A bill to be entitled "An Act amending Chapter 11 of the General Laws of the Regular Session of the Thirty-fourth Legislature relating to county auditors so as to make the provisions of said Chapter apply in all counties of 34,000 population or more, according to the last United States census, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 334, A bill to be entitled "An Act amending Article 5988, Title 96, Revised Civil Statutes of Texas, 1911, as amended by Chapter 31, General Laws of the Thirty-eighth Legislature, Second Called Session, 1923, relating to the bond of county treasurer as treasurer of the Navigation district so that said Article shall provide for the bond to cover all funds in the hands of the treasurer of said district and so as to provide for the conditions and approval of said bond and so as to provide for a district depository; providing that all laws, or parts of laws, in conflict herewith, are repealed, and declaring an emergency."

Read first time and referred to Committee on State Affairs.

By Senator Parr:

S. B. No. 335, A bill to be entitled "An Act creating the Asherton Independent School District in Dimmit County, Texas; defining its boundaries; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights and powers, privileges, duties and liabilities now conferred and imposed by the General Laws of Texas upon independent school districts and the board of trustees thereof; declaring that all taxes or bonds heretofore authorized by Asherton Common School District No. 2 of Dimmit County, Texas, shall remain in full force and effect, and declaring an emergency."

Read first time and referred to Committee on Education.

By Senator Holbrook:

S. J. R. No. 13, A joint resolution "Proposing that the Legislature of the State of Texas submit to a vote of the people of Texas an amendment to Section 9, Article 8, of the Con-

stitution, authorizing the levy and collection of a special road tax not to exceed fifty cents on the one hundred dollars of valuation of property in any county, subdivision or subdivisions, or defined district thereof, when same has been authorized by a majority of the qualified electors voting at an election held for that purpose, and making an appropriation for carrying out the provisions of this resolution."

Read first time and referred to Committee on Constitutional Amendments.

By Senator Murphy:

S. J. R. No. 14, A joint resolution "Proposing an amendment to Section 3 of Article 7 of the Constitution of Texas so as to increase the authorized rate of taxation for State purposes to one (\$1.00) dollar on the one hundred (\$100.00) dollar valuation."

Read first time and referred to Committee on Constitutional Amendments.

Free Conference Committee Report.

By Senator Pollard:

We, your Free Conference Committee, appointed by the President of the Senate and the Speaker of the House, do herewith submit our report on House Bill No. 80, by McFarlane et al.

We concur in the following Senate amendments: The amendment by Senator Bailey striking out the emergency clause; and the amendment by Senator Floyd requiring thirty (30) days notice before prosecution can be had as has been amended, making it fifteen (15) days.

We submit the bill, as amended and as agreed upon by your Free Conference Committee, which reads as follows:

By McFarlane et al. H. B. No. 80.

A BILL

To Be Entitled

An Act to amend paragraph No. 4, of Article 1422, Chapter 18, of the Penal Code of Texas (1911) as amended by the Thirty-third Legislature, regular term (1913), page 184 of the Acts of the Thirty-third Legislature, relating to making certain facts prima facie evidence of fraudulent intent.

Be it enacted by the Legislature of the State of Texas:

That Article 1422, Title 17, Chapter 18, Penal Code of Texas (1911) be amended by the Acts of the Thirty-third Legislature of Texas, relating to swindling, be amended so as hereafter to read as follows:

Article 1422. Certain Wrongful Acts Included. Within the meaning of the term "swindling" are included the following wrongful acts:

1. The exchange of property upon the false pretense that the party is the owner or has the right to dispose of the property given in exchange.

2. The purchase of property upon the faith and credit of some other person upon the false pretense that such other has given the accused the right to use his name in making the acquisition.

3. The obtaining by false pretense the possession of any instrument of writing, certificate, field notes or other paper relating to lands, the property of another, with the intent that thereby the property owner shall be defeated of a valuable right in such lands.

4. The obtaining by any person of any money or other thing of value with intent to defraud by the giving or drawing of any check, draft or order upon any bank, person, firm or corporation with which or with whom such person giving or drawing said check, draft or order has not at the time of the giving or drawing said check, draft or order, or at the time when in the ordinary course of business such check, draft or order would be presented to the drawee for payment, sufficient funds to pay same, and no good reason to believe that such check, draft or order will be paid; provided, that if said check, draft or order is not paid on presentation the return of same shall be prima facie evidence of the fraudulent intent of said person drawing or giving said check; and provided further, that if such check, draft or order is not paid within fifteen days after the same is returned unpaid, it shall be prima facie evidence that no good reason existed for believing that said check, draft or order would be paid, and it shall also be prima facie evidence of intent to defraud and knowledge of insufficient funds with the drawee.

5. The special enumeration of cases of swindling above set forth shall not be understood to exclude

any case which by fair construction of language comes within the meaning of the preceding article.

6. This Act shall be cumulative of all other laws on this subject and should any section or provision be declared unconstitutional, such decision shall not affect any of the remaining provisions of this Act.

Respectfully submitted,

POLLARD,
FLOYD,
HARDIN of Erath,
WOODWARD,

On the part of the Senate.

STORY,
McFARLANE,
LOFTIN,
PETSCH,
WILLIAMSON,

On the part of the House.

The above report was received, and Senator Pollard moved that the report be adopted, and Senator Murphy moved that the report be printed in the Journal.

Senator Stuart moved to table the motion by Senator Murphy, which motion was adopted.

The report was then adopted.

Invitation to Visit Rio Grande Valley.

Senator Parr offered the following:

The six irrigation districts of Cameron County, the four incorporated cities and towns and the entire citizenship invite the Senate and House of Representatives to visit us as our guests, leaving Austin on the afternoon of Friday, February 27, and spending Saturday, February 28; Sunday, March 1, and Monday, March 2, Texas Independence Day, in the valley as our guests—everything, including transportation.

The above was read, and Senator Bailey moved that the Senate accept the invitation.

The motion to accept the invitation was adopted.

Senate Bill No. 295.

Senator Russek moved that S. B. No. 295 be printed on a minority committee report.

The motion was lost.

S. C. R. No. 20.

Senator Pollard called up, for consideration,

S. C. R. No. 20, providing for a joint committee to make certain investigations of the State Highway Department.

Senator Pollard moved to suspend the Senate rule requiring committee reports to lie over for one day, the committee report having been made today.

The motion was adopted, by the following vote:

Yeas—22.

Bailey.	Pollard.
Berkeley.	Price.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Holbrook.	Strong.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Nays—6.

Bledsoe.	Murphy.
Bowers.	Real.
Hardin of Kaufman.	Stuart.

Absent.

Wirtz.

Absent—Excused.

Hardin of Erath. Lewis.

Action recurred on the resolution, and the Senate refused to adopt same, by the following vote:

Yeas—8.

Miller.	Reid.
Moore of Hunt.	Smith.
Pollard.	Strong.
Price.	Wood.

Nays—20.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Real.
Bowers.	Russek.
Davis.	Stuart.
Fairchild.	Triplett.
Hardin of Kaufman.	Ward.
Holbrook.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Woodward.

Absent—Excused.

Floyd. Lewis.
Hardin of Erath.

S. C. R. No. 38.

Whereas, Rev. Randolph Clark, Chaplain of the Senate of the Thirty-ninth Legislature of the State of Texas, was seriously injured in an

automobile accident, and at this time is confined to a hospital under treatment in the city of Houston, and whereas he is greatly missed from his post of duty by the members of Senate; therefore,

Be it Resolved by the Senate of the State of Texas, That we hereby express to our beloved Chaplain our sincere regrets at the misfortune that has befallen him and that it is our earnest prayer that he be restored to his accustomed good health and permitted to return to the Senate, that he may continue his valued services as Chaplain thereof.

That the Secretary of the Senate be authorized to communicate the passage of this resolution to Dr. Clark by wire, and that a copy of this resolution be forwarded to him by the secretary.

Signed: Bledsoe, Wood, Parnell, Moore of Hunt, Parr, Reid, Berkeley, Stuart, Woodward, Bowers, Real, Davis, Witt, Miller, Murphy, Ward, Bailey, Strong, Price, Moore of Cooke, Pollard, Smith, Floyd, Russek, Hardin of Kaufman, Fairchild, Triplett, Wirtz, Holbrook and Lieutenant Governor Miller.

The resolution was read and unanimously adopted by a rising vote.

Morning call concluded.

House Bill No. 218.

Action recurred on the pending business from yesterday, H. B. No. 218 being the tick eradication measure.

Senator Bowers made the point of order that this being a House bill it could not be considered on Senate bill day.

The Chair overruled the point of order, holding that the House bill had been substituted for a Senate bill.

Senator Bowers moved that the bill be made a special order for Thursday next, which motion was tabled on motion of Senator Parr.

Senator Parr here moved to table the pending amendment, or substitute for the bill, and moved the previous question on that motion, and the amendment, and the bill.

The motion being duly seconded by five Senators, was ordered, by the following vote:

Yeas—19.

Bailey.	Miller.
Berkeley.	Moore of Hunt.
Bledsoe.	Parnell.
Davis.	Parr.

Pollard.	Triplett.
Real.	Ward.
Reid.	Witt.
Russek.	Wood.
Smith.	Woodward.
Stuart.	

Nays—8.

Bowers.	Murphy.
Fairchild.	Price.
Hardin of Kaufman.	Strong.
Moore of Cooke.	Wirtz.

Absent.

Floyd.	Holbrook.
Hardin of Erath.	

Absent—Excused.

Lewis.

Action recurred on the amendment, or substitute for the bill, by Senator Bowers, and the same was lost by the following vote.

Yeas—3.

Bowers.	Strong.
Fairchild.	

Nays—23.

Bailey.	Price.
Berkeley.	Real.
Davis.	Reid.
Floyd.	Russek.
Hardin of Kaufman.	Smith.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Ward.

(Pairs Recorded.)

Senator Bledsoe (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Moore of Cooke (present), who would vote nay; with Senator Hardin of Erath (absent), who would vote yea.

The bill was then passed to a third reading, by the following vote:

Yeas—20.

Bailey.	Moore of Hunt.
Berkeley.	Murphy.
Davis.	Parnell.
Hardin of Kaufman.	Parr.
Holbrook.	Price.
Miller.	Real.

Reid.	Triplett.
Russek.	Witt.
Smith.	Wood.
Stuart.	Woodward.

Nays—5.

Bowers.	Strong.
Fairchild.	Wirtz.
Pollard.	

Present—Not Voting.

Floyd.

Absent.

Ward.

(Pairs Recorded.)

Senator Bledsoe (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

Senator Moore of Cooke (present), who would vote yea; with Senator Hardin of Erath (absent), who would vote nay.

Reason for Vote.

I vote present and not voting on H. B. No. 218 for the reason that I have not had sufficient time to study the provisions of this bill and to determine its affect upon the people of my district and the people of Texas. As the advocates of the bill claim that it will give relief over the present law, I do not want to obstruct such alleged relief.

FLOYD.

Reasons for Vote of No on House Bill No. 134.

I voted against substituting S. B. No. 201 for this bill, believing of the two H. B. No. 134 is the better, but I am opposed to further tick eradication being conducted wholly at State expense, and believe the whole theory of government action in this respect is wrong in principle.

WIRTZ.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 218 put on its third reading and final passage, by the following vote:

Yeas—25.

Bailey.	Holbrook.
Berkeley.	Miller.
Bledsoe.	Moore of Hunt.
Davis.	Moore of Cooke.
Floyd.	Murphy.
Hardin of Kaufman.	Parnell.

Parr.	Stuart.
Pollard.	Triplett.
Real.	Wirtz.
Reid.	Witt.
Russek.	Wood.
Smith.	Woodward.
Strong.	

Nays—3.

Bowers.	Price.
Fairchild.	

Absent.

Hardin of Erath. Ward.

Absent—Excused.

Lewis.

The Chair then laid before the Senate, on third reading.

H. B. No. 218, being the tick eradication bill.

Senator Bowers offered the following amendment:

By striking out the penalty wherever found in the bill, and in all places therein providing a penalty insert the following:

"Not less than twenty-five (\$25.00) dollars, nor more than three hundred (\$300.00) dollars."

Senator Parr moved to table the amendment, and moved the previous question on the motion and the bill.

The motion was not seconded.

Action recurred on the amendment and the same was lost by the following vote, a two-third vote being necessary:

Yeas—13.

Bowers.	Murphy.
Davis.	Pollard.
Fairchild.	Price.
Floyd.	Russek.
Miller.	Strong.
Moore of Hunt.	Triplett.
Moore of Cooke.	

Nays—15.

Bailey.	Smith.
Berkeley.	Stuart.
Hardin of Kaufman.	Ward.
Holbrook.	Wirtz.
Parnell.	Witt.
Parr.	Wood.
Real.	Woodward.
Reid.	

Absent—Excused.

Hardin of Erath.

(Pair Recorded.)

Senator Bledsoe (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Bowers offered the following amendment:

Amend H. B. No. 218, page 28, as follows: Add a new paragraph, No. 27e, as follows:

"The Live Stock Sanitary Commission shall not begin systematic dipping in Burleson and Lee Counties until April 1, 1927, unless said counties or either of them vote systematic dipping as provided for under this Act, and said counties shall have the privileges of this Act as otherwise provided."

The amendment was read and lost, by the following vote, a two-thirds vote being necessary:

Yeas—18.

Berkeley.	Murphy.
Bowers.	Pollard.
Davis.	Price.
Fairchild.	Russek.
Floyd.	Strong.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Wood.

Nays—10.

Bailey.	Reid.
Miller.	Smith.
Parnell.	Stuart.
Parr.	Witt.
Real.	Woodward.

Absent—Excused.

Hardin of Erath.

(Pair Recorded.)

Senator Bledsoe (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Bowers offered the following amendment:

By striking out the words and sentences all through said bill which places the expense of eradicating the fever ticks upon the State or counties, and inserting in lieu thereof, "that all expense of said work shall be borne by the individual owner of the livestock being dipped."

The amendment was read and lost by the following vote; a two-third vote being necessary:

Yeas—10.

Bowers.	Price.
Fairchild.	Strong.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Pollard.	Wirtz.

Nays—18.

Bailey.	Parr.
Berkeley.	Real.
Davis.	Reid.
Floyd.	Russek.
Hardin of Kaufman.	Smith.
Holbrook.	Stuart.
Miller.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Absent—Excused.

Hardin of Erath.

(Pair Recorded.)

Senator Bledsoe (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Bowers offered the following amendment:

Add a new section to be known as Section 27c. No inspector provided for in this Act shall be permitted to carry on or about his person, saddle, or in his saddle bags, or automobile any pistol, dirk, dagger, slung shot, sword, cane, spear or knuckles made of any metal or any hard substance, bowie knife, or any other knife manufactured for the purposes of offense or defense. And in case any inspector secures appointment as deputy sheriff or deputy constable, or any other office that will permit him to carry arms, he shall be at once discharged by the Livestock Sanitary Commission, and in case they refuse to discharge such inspector, the county judge of the county where such inspector is employed shall discharge him.

The amendment was read and adopted by the following vote, a two thirds vote being necessary:

Yeas—20.

Bailey.	Murphy.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Russek.
Fairchild.	Strong.
Floyd.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Miller.	Wirtz.
Moore of Cooke.	Witt.

Nays—8.

Berkeley.	Real.
Moore of Hunt.	Smith.
Parnell.	Wood.
Parr.	Woodward.

Absent.

Reid.

Absent—Excused.

Hardin of Erath. Lewis.

Senator Bowers offered the following amendment:

Amend H. B. No. 218 as follows: Add new Section 4a as follows: Any owner of livestock may furnish his own veterinary biological products, provided it meets the tests required by the State and Federal Government, and the State shall pay such furnisher of said products the market price therefor provided the price shall not exceed the price offered by others.

The amendment was read and Senator Parr moved to table the amendment and moved the previous question on the motion to table and the bill.

The motion for the previous question was duly seconded, but the Senate refused to order the same.

Action recurred on the motion to table the amendment, which was lost.

The amendment was then adopted by the following vote:

Yeas—22.

Bailey.	Murphy.
Berkeley.	Parr.
Bowers.	Pollard.
Davis.	Price.
Fairchild.	Russek.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Witt.
Moore of Cooke.	Woodward.

Nays—5.

Parnell.	Wirtz.
Real.	Wood.
Reid.	

Present—Not Voting.

Smith.

Absent—Excused.

Hardin of Erath.

(Pair Recorded.)

Senator Bledsoe (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

Senator Parr moved to reconsider the vote by which the above Bowers amendment was adopted:

Senator Bowers moved to table the motion to reconsider, which motion was adopted by the following vote:

Yeas—14.

Berkeley.	Pollard.
Bowers.	Price.
Davis.	Russek.
Fairchild.	Strong.
Floyd.	Triplett.
Moore of Cooke.	Witt.
Murphy.	Woodward.

Nays—12.

Bailey.	Reid.
Miller.	Smith.
Moore of Hunt.	Stuart.
Parnell.	Ward.
Parr.	Wirtz.
Real.	Wood.

Absent.

Hardin of Kaufman Holbrook.

Absent—Excused.

Hardin of Erath.

(Pair Recorded.)

Senator Bledsoe (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Bowers offered the following amendment:

Amend H. B. No. 218, as follows: Add new section to be numbered 27b, as follows: Any inspector working under the Livestock Sanitary Commission who shall fail or refuse to inspect livestock within ten hours after being requested to do so, or who shall fail or refuse to issue a permit to move livestock, when the owner or caretaker of such livestock has complied with the terms of this Act, shall be guilty of a misdemeanor and shall be fined in any sum not less than \$25.00 nor more than three hundred dollars; and the county where such inspector fails or refuses to act shall have jurisdiction over such offense.

The amendment was read and lost, by the following vote, a two-thirds vote being necessary:

Yeas—12.

Bowers.	Pollard.
Fairchild.	Price.
Floyd.	Russek.
Holbrook.	Strong.
Moore of Cooke.	Triplett.
Murphy.	Ward.

Nays—10.

Bailey.	Parr.
Berkeley.	Real.
Miller.	Stuart.
Moore of Hunt.	Wood.
Parnell.	Woodward.

Present—Not Voting.

Wirtz.

Absent.

Hardin of Kaufman. Witt.
Reid.

Absent—Excused.

Hardin of Erath.

(Pairs Recorded.)

Senator Bledsoe (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Davis (present), who would vote yea; with Senator Smith (absent), who would vote nay.

Recess.

On motion of Senator Bowers the Senate, at 12:15 o'clock p. m., recessed until 2:30 o'clock today.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

House Bill No. 218.

Consideration of the pending business, H. B. No. 218 was resumed.

Senator Bowers offered the following amendment, which was adopted by unanimous consent:

Amend H. B. No. 218, Section 23, as follows:

In line 1, strike out the word "twelve" and insert in lieu thereof the word "twenty-eight."

The bill was then finally passed, by the following vote:

Yeas—22.

Bailey.	Price.
Berkeley.	Real.
Davis.	Reid.
Hardin of Kaufman.	Russek.
Holbrook.	Smith.
Miller.	Stuart.
Moore of Hunt.	Triplett.
Murphy.	Ward.
Parnell.	Witt.
Parr.	Wood.
Pollard.	Woodward.

Nays—3.

Bowers. Wirtz.
Strong.

Absent.

Fairchild. Floyd.

(Pairs Recorded.)

Senator Bledsoe (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

Senator Moore of Cooke (present), who would vote yea; with Senator Hardin of Erath (absent), who would vote nay.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 138, A bill to be entitled "An Act placing all motor vehicles operating for hire over the highways of this State under the jurisdiction of the Railroad Commission." Amended by striking out the enacting clause.

H. B. No. 210, A bill to be entitled "An Act to increase the civil jurisdiction of the county court of Cochran County, and declaring an emergency."

Refused to engross H. B. No. 256, A bill to be entitled "An Act to amend Article 5118, Title 75, Revised Civil Statutes of Texas, 1911, prescribing who are liable for jury service and who are exempt from jury service."

H. B. No. 364, A bill to be entitled "An Act to change the territory included in the Batson Independent School District in Hardin County, and for other purposes."

H. B. No. 440, A bill to be entitled "An Act authorizing the issuance of State of Texas refunding bonds in the amount of seven hundred fifty thousand (\$750,000) dollars, dated February 1, 1927, bearing five (5%) per cent interest, payable semi-annually, to be executed and delivered in lieu thereof to the holder of State of Texas Funding Bonds, Series 1923, dated February 1, 1923, due February 1, 1925, and prescribing the duties of various State officials in reference thereto, and making an appropriation to pay the principal and interest thereof, and to pay the ex-

penses thereof; repealing the appropriation made to support the original issue of bonds, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

House Bills on First Reading.

The following House Bills were laid before the Senate, read severally first time and referred to appropriate committees:

H. B. No. 440, referred to Committee on Finance.

H. B. No. 364, referred to Committee on Educational Affairs.

H. B. No. 210, referred to Committee on Judicial Districts.

Senate Simple Resolution No. 39.

By Senator Holbrook:

Whereas, Senate Bill No. 113 has been passed finally by the Senate, sent over to the House and has been passed in the House, with an amendment, and

Whereas, the said Senate Bill No. 113 was duly returned by the House to the Senate, was engrossed, enrolled, signed by the Speaker and the Lieutenant Governor, and has been sent to the Governor's office without any attention being given the House amendment by the Senate; therefore,

Be it Resolved, That the Senate does hereby request the return of Senate Bill No. 113 from the Governor's office so that the House amendment can be duly considered.

The resolution was read and adopted.

House Bill No. 440.

(By unanimous consent.)

On motion of Senator Davis, the constitutional rule requiring bills to be read of three several days was suspended and H. B. No. 440 put on its second reading, by the following vote:

Yeas—26.

Bailey.	Moore of Cooke.
Berkeley.	Murphy.
Bledsoe.	Parnell.
Bowers.	Parr.
Davis.	Pollard.
Fairchild.	Price.
Hardin of Kaufman	Real.
Holbrook.	Reid.
Miller.	Russek.
Moore of Hunt.	Strong.

Stuart.
Triplett.
Ward.

Wirtz.
Wood.
Woodward.

Absent.

Floyd.
Smith.

Witt.

Absent—Excused.

Hardin of Erath. Lewis.

The Chair laid before the Senate, on second reading.

H. B. No. 440. A bill to be entitled "An Act authorizing the issuance of State of Texas Refunding Bonds in the amount of seven hundred fifty thousand (\$750,000) dollars, dated February 1, 1925, due February 1, 1927, bearing five (5%) per cent interest payable semi-annually to be executed and delivered in lieu thereof to the holder of State of Texas Funding Bonds, Series 1923, dated February 1, 1923, due February 1, 1925, and prescribing the duties of various State officials in reference thereto, and making an appropriation to pay the principal and interest thereof and to pay the expenses thereof, repealing the appropriation made to support the criminal issue of bonds, and declaring an emergency."

The committee report, that the bill be not printed, was adopted, and

The Senate rule requiring committee reports to lie over for one day, was suspended.

The bill was read second time and passed to a third reading.

On motion of Senator Davis, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 440 put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Absent.

Floyd.

Absent—Excused.

Hardin of Erath. Lewis.

The bill was read third time and passed finally, by the following vote:

Yeas—27.

Bailey.	Price.
Berkeley.	Real.
Bledsoe.	Reid.
Bowers.	Russek.
Davis.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.
Pollard.	

Absent.

Fairchild. Floyd.

Absent—Excused.

Hardin of Erath. Lewis.

Senate Bill No. 196.

The Chair laid before the Senate, on third reading,

S. B. No. 196, A bill to be entitled "An Act to authorize railroad companies to construct and operate spur or industrial tracks and to condemn property for right of way therefor, and declaring an emergency."

The bill was read third time and passed finally.

Senate Bill No. 233.

The Chair laid before the Senate, on third reading,

S. B. No. 233, A bill to be entitled "An Act providing that all statements made to any fraternal benefit society by the insured shall, in the absence of fraud, be deemed representations and not warranties; that the policies shall be incontestible after two years from date; and providing that in all cases where a loss occurs and the fraternal benefit society liable thereunder shall fail to pay the same within thirty days after demand therefor, such society shall be liable to pay the beneficiary of such policy, in addition to the amount of the loss, twelve per cent damages on the amount of such loss, together with

reasonable attorneys' fees for the prosecution and collection of such loss."

Senator Wood offered the following amendment:

Amend S. B. No. 233 by striking out all below the enacting clause and substituting the following:

"Section 1. That all statements made by the insured in any application or medical examination for any policy of insurance which may be issued by any fraternal benefit society shall, in the absence of fraud, be deemed representations and not warranties, and that any such policy shall be incontestable after two years from its date, except for non-payment of premiums, assessments and dues, provided the insured is a member in good standing of the society issuing said policy at the time of his death.

Sec. 2. That in all cases where a loss occurs and the fraternal benefit society liable thereunder shall fail to pay the same within sixty days after proofs of death have been made, such society shall be liable to pay the beneficiary of such policy, in addition to the amount of the loss, twelve per cent damages on the amount of such loss, together with a reasonable attorneys' fees for the prosecution and collection of such loss.

Sec. 3. That if the insured misstates his or her age, the amount payable under the policy shall be such an amount as the premium paid would have purchased at the correct age.

Senator Holbrook moved that the bill and amendment be recommitted, which motion to recommit was lost.

Action recurred on the amendment, and

Senator Pollard moved that the amendment be printed in the Journal.

The motion was lost.

The amendment was adopted by the following vote, a two-third vote being necessary.

Yeas—18.

Berkeley.	Smith.
Bledsoe.	Strong.
Miller.	Stuart.
Moore of Hunt.	Triplett.
Moore of Cooke.	Ward.
Murphy.	Wirtz.
Parr.	Witt.
Real.	Wood.
Reid.	Woodward.

Nays—8.

Bailey.	Parnell.
Davis.	Pollard.
Fairchild.	Price.
Holbrook.	Russek.

Absent.

Bowers.	Hardin of Kaufman.
Floyd.	

Absent—Excused.

Hardin of Erath. Lewis.

The bill was then finally passed.

Senate Bill No. 270.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading,

S. B. No. 270, A bill to be entitled "An Act amending Acts of the Thirty-eighth Legislature, Second Called Session, Chapter 8, and providing for the reorganization of the Seventy-second Judicial District of Texas, naming the counties constituting the same, and creating and organizing the One Hundred and Sixth Judicial District of Texas, and naming the counties therein; fixing the times and terms of the district courts in the several counties of such districts, and providing for the appointment of a district judge, and a district attorney for the One Hundred and Sixth Judicial District hereby created; providing that process issued, bonds and recognizances made, and grand and petit jurors drawn before this Act takes effect, shall be valid for and returnable to their several terms as herein set forth; fixing the time of taking effect of this Act, and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Senator Bledsoe offered the following amendments, severally, which were read and adopted:

Amend S. B. No. 270 as printed, page 2, line 30, by striking out the word "fourteenth" and insert in lieu thereof the word "sixteenth."

Amend S. B. No. 270 as printed, page 3, by striking out of line 1 the word "sixteenth" and insert in lieu thereof the word "eighteenth."

The bill was read second time and passed to engrossment.

On motion of Senator Bledsoe, the constitutional rule requiring bills to be read on three several days was

suspended and S. B. No. 270 put on its third reading and final passage, by the following vote:

Yeas—28.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Absent.

Floyd.

Absent—Excused.

Hardin of Erath. Lewis.

The bill was read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent—Excused.

Hardin of Erath. Lewis.

Simple Resolution No. 39.

By Senator Pollard:

Whereas, It is the opinion and judgment of the Senate of Texas that Hon. R. M. Hubbard, Chairman of the Highway Commission of Texas; Hon. D. K. Martin, Highway Commissioner of Texas, and Hon. Gibb Gilchrist, Highway Engineer of the State of Texas, have rendered invaluable service to the State of Texas in honestly, efficiently and sincerely administering the Highway Department of Texas, making the highway system of Texas one of the best in America, and

Whereas, It is the judgment of the Senate of Texas that the Hon. R. M. Hubbard, Hon. D. K. Martin and Hon. Gibb Gilchrist have fearlessly, courageously and fairly dealt with the people of Texas in each and every transaction in awarding contracts and building highways and otherwise administering the Highway Department of Texas; therefore,

Be it Resolved by the Senate of Texas, That it deploras any accusations that have been made against the administration of the Highway Commission of Texas, and it commends the Hon. R. M. Hubbard, Hon. D. K. Martin and Hon. Gibb Gilchrist for their honesty, courage, fearlessness and fairness in efficiently administering the Highway Department of Texas to the best interest of the people of Texas.

Signed: Pollard, Price, Witt, Parnell, Smith, Strong, Ward, Real, Bowers, Miller, Russek, Berkeley, Parr, Murphy, Stuart, Moore of Cooke, Fairchild, Davis, Wood, Bledsoe and Moore of Hunt.

The resolution was read and adopted.

S. J. R. No. 1.

The Chair laid before the Senate, on second reading,

S. J. R. No. 1, A joint resolution "Proposing to amend Section 50, Article 3, of the Constitution of the State of Texas so that it shall hereafter provide that the Legislature shall have power and authority to create and maintain a State plan of insurance to underwrite industrial accident insurance in Texas."

There being a favorable majority committee report and an adverse minority committee report, Senator Price moved to adopt the majority committee report, and Senator Hardin of Kaufman moved, as a substitute, that the minority committee report, be adopted.

The substitute motion was adopted, by the following vote:

Yeas—21.

Bailey.	Miller.
Berkeley.	Moore of Hunt.
Bledsoe.	Parnell.
Bowers.	Pollard.
Davis.	Real.
Floyd.	Reid.
Hardin of Kaufman.	Russek.
Holbrook.	Smith.

Stuart.
Wirtz.
Witt.

Wood.
Woodward.

Nays—6.

Fairchild. Strong.
Moore of Cooke. Triplett.
Price. Ward.

Absent—Excused.

Hardin of Erath. Lewis.

(Pair Recorded.)

Senator Murphy (present), who would vote nay; with Senator Parr (absent), who would vote yea.

Senate Bill No. 13—Conference Committee Report on.

Senator Holbrook called up S. B. No. 113, and moved that the Senate do not concur in the House amendments, and requested the appointment of a conference committee.

The motion was adopted.

The Chair appointed the following as the committee on part of the Senate: Senators Holbrook, Strong, Bailey, Ward and Fairchild.

Simple Resolution No. 40.

Whereas, Col. Hampton Steele, the oldest living native Texan, is in the Senate chamber,

Be it resolved, that he be accorded the privileges of the floor and invited to address the Senate.

WOOD.
WITT.

The resolution was read and adopted.

The Chair requested Senators Witt and Wood to escort Col. Steele to the President's stand.

The Chair asked Senator Witt to present Col. Steele to the Senate.

Col. Steele addressed the Senate briefly and interestingly.

Senate Joint Resolution No. 6.

The Chair laid before the Senate, on second reading,

S. J. R. No. 6, A joint resolution "Proposing an amendment to Article 3 of the Constitution of the State of Texas providing for a State tax to be levied and collected to pay pensions to persons who have served as much as thirty years as teacher or instructor in the public schools or educational institutions in this

State operated under governmental authority and providing for the publication and submission of said amendment to the qualified voters of this State."

There was a favorable majority Committee report, and an adverse minority Committee report.

Senator Murphy moved to adopt the majority Committee report, and, Senator Wirtz moved, as a substitute to adopt the minority Committee report.

The minority report was adopted by the following vote:

Yeas—23.

Bailey.	Pollard.
Berkeley.	Real.
Bledsoe.	Russek.
Bowers.	Smith.
Davis.	Strong.
Floyd.	Stuart.
Hardin of Kaufman.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Parnell.	Woodward.
Parr.	

Nays—3.

Fairchild.	Triplett.
Murphy.	

Present—Not Voting.

Price.

Absent.

Holbrook.	Reid.
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Absent—Excused.

Hardin of Erath. Lewis.

Senate Joint Resolution No. 2.

Senator Moore of Hunt called up, from the table, and on second reading,

S. J. R. No. 2, A joint resolution "Proposing an amendment to the Constitution of the State of Texas increasing the compensation of the Governor, Secretary of State, Attorney General, Comptroller of Public Accounts, the Treasurer, and the Commissioner of the General Land Office."

The Committee report, with amendments, was adopted.

The resolution was read second time and passed to engrossment.

Senate Bill No. 106.

The Chair laid before the Senate on second reading,

S. B. No. 106, A bill to be entitled "An Act regulating the manufacture, distribution, sale, prescription and furnishing of intoxicating liquor in this State; regulating the handling and traffic in intoxicating liquor for medicinal purposes; regulating prescriptions of intoxicating liquor by physicians and the sale or furnishing of intoxicating liquor by druggist, pharmacists and drug stores; prescribing the necessary regulations, requirements and penalties to carry out such purpose; providing for the keeping of the necessary information and records and the filing of same with public officers and agents to facilitate the enforcement of the liquor laws; amending Chapter 78, General Laws, Second Called Session of the Thirty-sixth Legislature, and declaring an emergency."

The bill was read second time, and

Senator Price moved that the bill be made a special order for Tuesday morning following the conclusion of the morning call, also S. B. No. 235 was included in the motion.

Senate Bill No. 141.

The Chair laid before the Senate, on second reading,

S. B. No. 141, A bill to be entitled "An Act to authorize J. P. Dod to write and sign in duplicate the field notes for each of the subdivision field notes of the excess land recovered by the State of Texas in Dallam and Hartley Counties from Capitol Freehold Land and Investment Company, Limited, et al, in the Fifty-third District Court of Travis County on April 26, 1924, as said surveys were made on the ground by R. S. Dod, deceased, under appointment of the Commissioner of the General Land Office, and adopting same as the legal survey, making an appropriation for compensating said Dod for writing said field notes and duplicates, and providing that when the original and duplicate field notes are filed in the General Land Office and in said counties they shall have the same force and effect as if they had been written and signed by the said original surveyor, R. S. Dod or a county surveyor, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 159.

The Chair laid before the Senate, on second reading,

S. B. No. 159, A bill to be entitled "An Act relating to the creation of conservation and reclamation districts under and by virtue of the provisions of Section 59, of Article 16, of the State Constitution, etc."

The bill was laid on the table subject to call.

Senate Bill No. 92.

Senator Davis called up from the table, and the Chair laid before the Senate,

S. B. No. 92, A bill to be entitled "An Act amending Article 3871 of the Revised Civil Statutes of 1911 as amended so as to increase the compensation of county tax assessors; repealing all laws in conflict herewith, and declaring an emergency."

Action recurred on the pending motion, by Senator Davis, made on Feb. 4, to reconsider the vote by which the Senate refused to order the bill engrossed.

The motion to reconsider was adopted by the following vote:

Yeas—19.

Berkeley.	Reid.
Bledsoe.	Smith.
Davis.	Stuart.
Floyd.	Triplett.
Miller.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parr.	Woodward.
Real.	

Nays—9.

Bowers.	Pollard.
Fairchild.	Price.
Hardin of Kaufman.	Russek.
Holbrook.	Strong.
Parnell.	

Absent.

Bailey.

Absent—Excused.

Hardin of Erath. Lewis.

The bill was then ordered engrossed, by the following vote:

Yeas—17.

Berkeley.	Floyd.
Bledsoe.	Moore of Hunt.
Davis.	Murphy.

Parnell.	Ward.
Parr.	Wirtz.
Reid.	Witt.
Smith.	Wood.
Stuart.	Woodward.
Triplett.	

Nays—9.

Bowers.	Moore of Cooke.
Fairchild.	Pollard.
Hardin of Kaufman.	Price.
Holbrook.	Strong.
Miller.	

Absent.

Bailey.	Russek.
Real.	

Absent—Excused.

Hardin of Erath. Lewis.

Senate Bill No. 195.

The Chair laid before the Senate, on second reading,

S. B. No. 195, A bill to be entitled "An Act to amend Chapter 107, Section 3, of the Local and Special Laws of the Thirty-fifth Legislature, regulating the method of taking or catching fish in the public fresh waters of Tom Green County, State of Texas, and providing penalties for violation, and declaring an emergency."

The bill was read second time and passed to engrossment.

On motion of Senator Woodward, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 195 put on its third reading and final passage, by the following vote:

Yeas—28.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Absent.

Bailey.

Absent—Excused.

Hardin of Erath. Lewis.

The bill was then read third time and passed finally.

Senate Bill No. 240.

The Chair laid before the Senate, on second reading,

S. B. No. 240, A bill to be entitled "An Act to amend Chapter 63, Local and Special Laws of the Third Called Session of the Thirty-sixth Legislature, same being an Act creating the Dixon Independent School District in Hunt County, Texas, by redefining its boundaries and by adding thereto Sections 2a, 2b, 2c and 2d authorizing said Dixon Independent School District to issue bonds under the provisions of the General Laws for the purpose of providing funds to be expended in payment of accounts legally contracted in constructing and equipping public free school buildings in said district, or for the purpose of purchasing, constructing, repairing or equipping public free school buildings within the limits of said district and the purchase of the necessary sites therefor; validating bond issue for said purpose heretofore authorized by a majority of the property taxpaying voters of said district, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 248.

The Chair laid before the Senate, on second reading,

S. B. No. 248, A bill to be entitled "An Act to create the Wolfe City Independent School District in Hunt County, Texas, including the present Wolfe City Independent School District of said county; providing for a board of trustees in said district; vesting said independent school district and board of trustees with all the powers, rights, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the present Wolfe City Independent School District shall continue to act as such until their successors are elected as provided herein; divesting the city of Wolfe City of the control of the public schools of the district, as created by this Act, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 239.

The Chair laid before the Senate, on second reading,

S. B. No. 239, A bill to be entitled "An Act creating and incorporating the Eliasville Independent County Line School District lying in the counties of Young and Stephens in the State of Texas, defining the boundaries thereof, providing for a board of trustees thereof, placing said independent district under the control of the General Laws governing independent districts, providing that no outstanding indebtedness of the Eliasville County Line District be invalidated, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted. The bill was read second time and passed to engrossment.

Senate Bill No. 241.

The Chair laid before the Senate, on second reading,

S. B. No. 241, A bill to be entitled "An Act creating and incorporating the Silverton Independent School District, of Briscoe County, Texas, for free school purposes only, defining its boundaries, vesting it with all the rights, powers, duties and privileges of independent school districts under the General Laws of Texas pertaining thereto, providing for a board of trustees, raising of revenue by taxation, issuing bonds and maintaining public free schools therein, vesting all lands, buildings and all other property now owned and held for free school purposes, by the Silverton Common School District, of Briscoe County, Texas, in the Silverton Independent School District, of Briscoe County, Texas; providing that all outstanding indebtedness, whether bonded or otherwise, of the Silverton Common School District, shall be validated and held a valid obligation against the Silverton Independent School District, of Briscoe County, Texas, declaring valid a maintenance and bond tax heretofore voted by said Silverton Common School District, and repealing all other Acts and laws in conflict herewith, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and laid on table subject to call.

Senate Bill No. 242.

The Chair laid before the Senate on second reading,

S. B. No. 242, A bill to be entitled "An Act creating the Vega Independent School District in Oldham County, Texas, providing for a board of trustees in said independent school district and conferring on said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees therefor; to provide for the election of trustees, for the raising of revenues, issuing of bonds, building and maintaining schoolhouses, maintaining public free schools, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore voted, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 243.

The Chair laid before the Senate, on second reading,

S. B. No. 243, A bill to be entitled "An Act creating the Wildorado Independent School District in Oldham County, Texas, providing for a board of trustees in said independent school district and conferring on said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State upon independent school districts and the board of trustees thereof; to provide for the election of trustees, for the raising of revenues, issuing of bonds, building and maintaining schoolhouses, maintaining public free schools, declaring valid an issue of bonds heretofore made, declaring valid a maintenance tax heretofore voted, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 257.

The Chair laid before the Senate, on second reading,

S. B. No. 257, A bill to be entitled "An Act creating the Roby Independent School District in Fisher County, Texas; setting forth the metes and bounds of such district; providing a board of trustees therefor, and defining their powers; vesting such district with the rights, powers and duties of districts incorporated for free school purposes only under the General Laws of the State of Texas; providing for an election to assume the outstanding bonds of the present Roby Independent School District; providing for the authority to change the boundary lines of such district, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 319.

The Chair laid before the Senate, on second reading,

S. B. No. 319, A bill to be entitled "An Act to create the Golden Independent School District in Wood County, Texas; describing said district created by metes and bounds; providing a board of trustees therefor; vesting said school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing for an election to determine whether or not said district shall assume and pay outstanding bonds of the territory therein embraced and levy a tax therefor; providing for the establishment of high schools in said district; providing for a district superintendent of said district; giving said district the taxing and bonding powers as provided for in the laws of the State relative to independent school districts, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 258.

The Chair laid before the Senate, on second reading,

S. B. No. 258, A bill to be entitled "An Act to create the Anson Inde-

pendent School District, incorporated under the General Laws; providing a board of trustees therefor; vesting said Anson Independent School District board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing for the validation of all contracts, bonds or other valid indebtedness and tax levies of the present Anson Independent School District, as the subsisting obligations and acts created by this Act; providing for an election to determine as to the assumption of outstanding indebtedness of territory herein incorporated, as herein set out, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

Senate Bill No. 266.

The Chair laid before the Senate, on second reading,

S. B. No. 266, A bill to be entitled "An Act to amend Section 2 of Chapter 91, of the Acts of the Regular Session of the Thirty-fifth Legislature, relating to the organization and time of holding district courts in the Forty-ninth Judicial District of Texas, and to amend Section 2 of Chapter 55, of the Acts of the Regular Session of the Thirty-eighth Legislature, relating to the organization and time of holding district courts in the Seventy-ninth Judicial District of Texas so as to take Jim Hogg County, Texas, out of said Seventy-ninth Judicial District for the rearranging of the time and terms for holding district courts in the various counties composing said Forty-ninth Judicial District and said Seventy-ninth Judicial District, and providing that all process, recognizances, writs and bonds issued, served, executed or entered into, for the district courts in the various counties in said Forty-ninth Judicial District and said Seventy-ninth Judicial District, before this Act goes into effect, shall be returnable to the respective terms of the courts hereby fixed, and providing that all grand and petit jurors selected in any of the counties before this Act goes into effect, shall be legal jurors for the respective terms of the courts fixed by this Act, and providing that

this Act shall take effect from and after August the 15th, 1925, and repealing all laws in conflict herewith, and declaring an emergency."

The committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Parr, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 266 put on its third reading and final passage, by the following vote:

Yeas—28.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Absent.

Bailey.

Absent—Excused.

Hardin of Erath. Lewis.

The bill was read third time and passed finally, by the following vote:

Yeas—28.

Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Kaufman.	Strong.
Holbrook.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Absent—Excused.

Bailey.

Absent—Excused.

Hardin of Erath. Lewis.

Senate Bill No. 156.

The Chair laid before the Senate on second reading,

S. B. No. 156, A bill to be entitled "An Act to amend Article 3691 of the Revised Statutes of the State of Texas, by adding that conviction of a felony shall not disqualify a witness from testifying."

The committee report was adopted.

The bill was laid on the table subject to call.

Senate Bill No. 157.

On motion of Senator Moore of Cooke, S. B. No. 157 was laid on the table subject to call.

Senate Bill No. 244.

The Chair laid before the Senate, on second reading,

S. B. No. 244, A bill to be entitled "An Act conferring upon the Board of Directors of the Agricultural and Mechanical College of Texas the right of eminent domain, and declaring an emergency."

The bill was read second time and passed to engrossment.

Senate Bill No. 192.

The Chair laid before the Senate, on second reading,

S. B. No. 192, A bill to be entitled "An Act providing for permanent first grade certificates; providing for the employment of teachers who have been engaged ten years in teaching a special subject, without requiring that they have certificates; providing for the issuance of emergency certificates; providing for the issuance of permits to teach trades; making this Act cumulative of other laws, and declaring an emergency."

Senator Stuart here moved to adjourn until tomorrow morning at 10 o'clock, but the motion was lost.

Senator Fairchild offered the following amendments, severally, which were read and adopted:

1. Amend the caption to S. B. No. 192, line 8, page 1, by striking out the word "ten" and inserting in lieu thereof the word "six."

2. Amend S. B. No. 192, line 15, page 1, by striking out the word "ten" and inserting in lieu thereof the word "six," and by omitting the word "consecutive."

3. Amend S. B. No. 192, line 18, page 1, by striking out the word

"ten" and inserting in lieu thereof the word "six," and by omitting the word "consecutive."

4. Amend S. B. No. 192, line 23, page 1, by striking out the word "ten" and inserting in lieu thereof the word "four."

The bill was then passed to engrossment.

Senate Bill No. 198.

The Chair laid before the Senate, on second reading,

S. B. No. 198, A bill to be entitled "An Act fixing the salary of superintendent of public instruction of McLennan County, and providing for the payment thereof, and declaring an emergency."

Pending.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 214.

H. B. No. 165.

H. B. No. 167.

H. B. No. 196.

H. B. No. 159.

H. B. No. 440.

Adjournment.

On motion of Senator Stuart, the Senate at 530 o'clock p m. adjourned until 10 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 216, A bill to be entitled "An Act to amend Chapter 102, Special Laws of the Thirty-eighth Legislature enacted at its Regular Session, creating the Spicewood Independent School District; the said amendment providing for redefining the boundaries of said school district and providing for the extension of said district and the annexation of adjacent territory thereto; providing for retention in office of the present board of trustees and con-

firming the rights of the present board of trustees under the General Laws of the State of Texas; validating all taxes now in force; providing for election to determine whether or not the taxes for the district shall be levied, assessed and collected on all property in said district as extended by this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 273, A bill to be entitled "An Act creating the Tavenor Independent School District in Fort Bend County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 328, A bill to be entitled "An Act creating the Rosenberg Independent School District in Fort Bend County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highway and Motor Traffic, to whom was referred,

S. B. No. 87, A bill to be entitled "An Act to amend laws for Bell County that the same may hereafter read as follows: 'An Act providing more efficient road laws for Bell County, conferring on the commissioners' court of Bell County control of all roads,

bridges, drains, ditches, culverts and all works incident to same; providing for the adoption of rules governing same, their alteration or amendment; providing for the abolishment of the office ex officio road commissioner, and prescribing the salaries of the commissions; fixing the time of meetings of the commissioners' court, and declaring the same cumulative; permitting the county commissioners in Bell County to engage in other occupations; providing for the manner of purchasing materials and supplies, and of making the contracts where the amount is over fifty (\$50.00) dollars and less than five hundred (\$500.00) dollars; providing for the acquiring of lands for roads and drainage by condemnation or otherwise; providing for the proper drainage and maintenance of railway rights of way; providing for the referring of petitions for new roads to the county commissioners of precinct before action is taken; authorizing the employment of all necessary labor, teams, wagons, and clerical help, and providing payment therefor; providing road and ditch crossings wherever necessary, and the acquiring of land for same, providing for roads sixty (60) feet wide; authorizing the appointment of a county highway engineer, road superintendents and assistant engineers and other assistants; regulating the working of convicts, exempting all persons from road work and abolishing the office of road overseer, defining the word "road"; providing for the investment of sinking funds; prohibiting the blockading of county roads by trains, etc., and providing a penalty; prohibiting any county officer to be interested in any county contract; providing road fee and number days to work for man and team; declaring this Act cumulative; providing for the construction by the courts, repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate

Sir: We, your Committee on State Affairs, to whom was referred S. C. R. No. 20,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. C. R. No. 11.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

H. B. No. 24, A bill to be entitled "An Act exempting from taxation institutions or organizations such as the Boy Scouts of America or local organizations of such a body, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WIRTZ, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on State Affairs, to whom was referred

H. B. No. 24,

Beg leave to differ from the majority of said committee, and recommend to the Senate that the same do pass.

WOOD,
TRIPLETT,
WOODWARD.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on State Affairs, to whom was referred

S. B. No. 295, A bill to be entitled "An Act to amend Article 1121 of the Revised Statutes of the State of Texas, 1911, providing additional purposes for which corporations may be formed under the laws of Texas."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WIRTZ, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: I, a minority of your Committee on State Affairs, to whom was referred

S. B. No. 295, A bill to be entitled "An Act to amend Article 1121 of the Revised Statutes of the State of Texas, 1911, providing additional purposes for which corporations may be formed under the laws of Texas."

Beg leave to differ from the majority of said committee, and recommend to the Senate that the same do pass.

RUSSEK.

Committee Room, .
Austin, Texas, Feb. 13, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 206, A bill to be entitled "An Act creating an Illiteracy Board for Texas; defining the powers and duties of said board, and making an appropriation for the work to be carried on under the direction of said board, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 57, A bill to be entitled "An Act creating an additional district court for Dallas County; defining its jurisdiction; adjusting the business of the existing district courts to the business thereof; pre-

scribing the duties of the district clerk with respect thereto, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

PRICE, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial District, to whom was referred H. B. No. 78, A bill to be entitled "An Act to amend Chapter 15, pages 30 and 31 of the laws passed at the Regular Session of the Thirty-seventh Legislature, 1921, by changing the time and terms of holding court in the Eighty-third Judicial District, so that Section 1 of said Act, as it relates to said Eighty-third Judicial District shall hereafter read as follows, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PRICE, Chairman.

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We your Committee on Insurance, to whom was referred

S. B. No. 97, a bill to be entitled "An Act to amend Article 4712, Chapter 1, Title 71 of the Revised Civil Statutes of Texas of 1911, providing for the investment of surplus money of insurance companies; and also to amend Article 4734, Chapter 2, Title 71 of the Revised Civil Statutes of Texas of 1911, prescribing and defining the securities in which the funds of life insurance companies may be invested; and also to amend Article 4776, Chapter 3, Title 71 of the Revised Civil Statutes of Texas of 1911, defining 'Texas Securities' in which the 'Texas Reserves' of foreign life insurance companies doing business in the State of Texas must be invested; and also to amend Article 4811, Chapter 6, Title 71 of the Revised Civil Statutes of Texas of 1911, defining and prescribing the character of securities in which cooperative life insurance companies organized under the laws of Texas may invest their funds."

Have had the same under consideration, and we desire to report the same back to the Senate with the recommendation that it do pass, with Committee amendment.

Russek, Chairman; Woodward, Davis, Strong, Pollard, Ward.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 297, A bill to be entitled "An Act allowing corporations to issue preferred stock, and also providing that such stock may take preference over common stock theretofore or thereafter issued, and further providing that such preference shall not exist as to common stock issued prior to the passage of this Act without the consent given in writing of the holder of that stock, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 110, A bill to be entitled "An Act providing that counties that borrowed money from the State of Texas under the provisions of Section 13, Chapter 4, Acts of the Thirty-fifth Legislature passed at the Fourth Called Session, may by payment of accrued interest be given an option of five years additional time in which to return the principal, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 293, A bill to be entitled "An Act to amend Article 648 of Subdivision 2 of Chapter 2, Title 18,

of the Revised Civil Statutes of the State of Texas so as to allow the issuance of bonds for the purposes provided in said subdivision of said chapter in counties having in excess of 200,000 inhabitants by the last preceding United States census, in an amount or sum not greater than ten cents on the hundred dollar property valuation of such county so that said article will hereafter read as herein provided in Section 1, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

Committee Room,

Austin, Texas, Feb. 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 180, A bill to be entitled "An Act amending Article 6267 of the Revised Civil Statutes of 1911 as amended, and amending Chapter 2, Title 105, Revised Civil Statutes of 1911, by inserting therein Article 6267a, said articles relating to pensions; authorizing and directing the collection of the increased amount of taxes under Section 51 of Article 3 of the State Constitution as amended; amending the statutes so as to conform to the purpose and intent and the authority granted in said section of the Constitution as amended; repealing Chapter 86 of the General Laws of the Regular Session of the Thirty-sixth Legislature and all laws and parts of laws in conflict with this Act; providing the rule of construction in event any part of this Act should be held to be invalid, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WIRTZ, Chairman.

(Floor Report.)

Senate Chamber,

Austin, Texas, Feb. 10, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Labor, to whom was referred

H. B. No. 161, A bill to be entitled "An Act prohibiting the employment

of children under fifteen years of age to labor in certain occupations, prohibiting the employment of children under seventeen years of age to labor in certain occupations; prohibiting the sending of children under seventeen years of age to certain places, limiting the hours of labor for children under fifteen years of age; providing for permits to be issued by the county judge for children between the ages of twelve and fifteen years to labor in certain occupations and under certain conditions, requiring employers employing children between the ages of twelve and fifteen to secure and post permits where child is employed, providing how such permits may be secured; giving the Commissioner of Labor Statistics, or his deputies or inspectors free access to all places where children or minors are employed; providing penalties for violations of the Act and repealing all laws and parts of laws in conflict with the Act, and declaring an emergency."

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do pass.

MURPHY, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 440, A bill to be entitled "An Act authorizing the issuance of State of Texas refunding bonds in the amount of seven hundred fifty thousand (\$750,000) dollars, dated February 1, 1927, bearing five (5%) per cent interest, payable semi-annually, to be executed and delivered in lieu thereof to the holder of State of Texas Funding Bonds, Series 1923, dated February 1, 1923, due February 1, 1925, and prescribing the duties of various State officials in reference thereto, and making an appropriation to pay the principal and interest thereof, and to pay the expenses thereof; repealing the appropriation made to support the original issue of bonds, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do

pass, and that, as S. B. No. 278 on the same subject matter has been printed in the Journal, said H. B. No. 440 be not printed.

DAVIS, Chairman.

(Majority Report.)

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, a majority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 9, A bill to be entitled "An Act to amend Article 1340 of the Penal Code of the State of Texas, 1911, by providing that the punishment for the theft of property of the value of \$50.00 or more shall be by confinement in the county jail not more than twelve months or by confinement in the penitentiary not more than ten years."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

(Minority Report.)

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, a minority of your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 9,

Have had the same under consideration, and beg leave to report the same back to the Senate with the recommendation that it do not pass.

STUART,
WOODWARD.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

S. B. No. 164, A bill to be entitled "An Act to amend Article 1531 of the Penal Code of the State of Texas, regarding the unlawful boarding of trains.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred.

S. B. No. 308, A bill to be entitled "An Act amending Articles 1255, 1255a, Penal Code, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred.

H. B. No. 250, A bill to be entitled "An Act to amend Article 384 of the Penal Code of the State of Texas, enlarging the exceptions therein stated so that Article 381 and Article 382 of the Penal Code of the State of Texas shall not apply to members of the Legislature who, by reason of physical infirmities, require a personal attendant, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

WARD, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred.

S. B. No. 317, A bill to be entitled "An Act creating and establishing the Laureless Independent School District in Kleberg County, Texas, defining its boundaries, providing for the election and qualification of trustees thereof, and vesting said district with the rights, powers, duties and privileges of districts incorporated under the General Law for free school purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred,

S. B. No. 319, A bill to be entitled "An Act to create the Golden Independent School District in Wood County, Texas, describing said district created by metes and bounds, providing a board of trustees therefor, vesting said school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas, providing for an election to determine whether or not said district shall assume and pay outstanding bonds of the territory therein embraced and levy a tax therefor, providing for the establishment of high schools in said district, providing for a district superintendent of said district, giving said district the taxing and bonding powers as provided for in the laws of the State relative to independent school districts, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 300, A bill to be entitled "An Act creating and establishing the Santa Gertrudis Independent School District in Kleberg County, Texas, defining its boundaries, providing for the election and qualification of trustees thereof, and vesting said district with the rights, powers, duties and privileges of districts incorporated under the General Law for free school purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 260, A bill to be entitled "An Act to amend Section 1, Chapter 12, Special Laws of the Thirty-eighth Legislature, Third Called Session, being entitled 'An Act creating the Imperial Independent School District in Pecos County, Texas; defining its boundaries; providing for a board of trustees; conferring upon said district the rights, powers, privileges and duties now conferred and imposed by the General Laws of the State on independent school districts and the board of trustees thereof; providing for the division of the funds and taxes held by and due to Buena Vista Independent School District, and declaring an emergency,' so that the said above recited section shall hereafter read as herein set out, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 351, A bill to be entitled "An Act to change the territory included in the Sour Lake Independent School District in Hardin County and for other purposes."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 270, A bill to be entitled "An Act creating and incorporating the Melvin Independent County Line School District lying in the

Counties of McCulloch and Concho in the State of Texas, defining the boundaries thereof, providing for a board of trustees thereof, placing said independent district under the control of the General Laws governing independent districts, providing that no outstanding indebtedness of the Melvin County Line District be invalidated, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 187, A bill to be entitled "An Act creating and incorporating the Comfort Independent County Line School District lying in the counties of Kendall and Kerr in the State of Texas, defining the boundaries thereof; providing for a board of trustees thereof; placing said independent school district under the control of the General Laws governing independent districts, providing that no outstanding indebtedness of the Comfort County Line District be invalidated, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 176, A bill to be entitled "An Act validating Common Line Consolidated School District No. 3 of Henderson and Kaufman Counties as defined and attempted to be created by the county board of school trustees of Henderson County on September 4, 1923, and the county board of school trustees of Kaufman County on August 13, 1923, validating all bond issues and special taxes which may have been voted by said district, ratifying all Acts of the lo-

cal board of trustees of said district; placing said district under the control of Henderson County, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 195, A bill to be entitled "An Act creating and incorporating the Center Independent School District in Shelby County, Texas; including the present Center Independent School District of said county; providing a board of trustees, and vesting said independent school district and board of trustees with all the rights, powers, privileges and duties conferred upon independent school districts incorporated under the General Laws of Texas; providing that the board of trustees of the school district shall continue to act as such until their successors are elected, as provided herein, divesting the City of Center of the control of the public school district, as created by this Act, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 338, A bill to be entitled "An Act creating and incorporating the Grandview Independent School District in Dawson County, Texas, out of territory now composing Common School District No. 12 in said county; defining its boundaries; providing for a board of trustees thereof, and defining their powers and authority; authorizing said board of trustees to levy, assess and collect taxes for maintenance and building purposes and to issue bonds therefor, and providing that said Grandview

Independent School District shall assume all the obligations and indebtedness of said Common School District No. 12; vesting title to property of said Common District No. 12 in Grandview Independent School District; providing for an assessor and collector of taxes thereof, and providing for a board of equalization of said district; providing for the election and terms of office of trustees thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 262, A bill to be entitled "An Act to create the Timpson Independent School District in Shelby County, Texas; to provide for the election of trustees, for the raising of revenue, issuing bonds, maintaining public free schools; declaring valid an issue of bonds heretofore made; declaring valid a maintenance tax heretofore levied; providing for extension of boundaries, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, Feb. 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 317, A bill to be entitled "An Act creating and incorporating the Five-mile Independent School District in Dawson County, Texas, out of territory now composing Common School District No. 21 in said County, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 283, A bill to be entitled "An Act creating and incorporating Coble Independent School District, Hockley County, Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 299, A bill to be entitled "An Act creating and establishing the El Sauz Independent School District in Willacy County, Texas; defining its boundaries; providing for the election and qualification of trustees thereof, and vesting said district with the rights, powers, duties and privileges of districts incorporated under the General Law for free school purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 270 carefully examined and compared, and find the same correctly engrossed.

STRONG, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Towns and City Corporations, to whom was referred S. B. No. 44,

Have had the same under consideration and I am instructed to report the same back to the Senate with recom-

mendation that it do not pass, but that the following committee substitute do pass in lieu thereof.

STUART, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. B. No. 277,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment:

Amend H. B. No. 277 by striking out Section 2, and inserting in lieu thereof the following:

Section 2. Owners of oil and gas permits theretofore or hereafter issued on University land shall, when oil or gas shall have been found in paying quantities, be entitled to a lease subject to renewal and renewals on the area without the payment of any further sum except the royalty of one-eighth of the value of the gross production of oil and ten per cent of the value of the gross production of gas as now provided by law, which shall be paid under the terms of the law under which the permit was issued.

REAL.

Committee Room,
Austin, Texas, Feb. 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Penitentiaries, to whom was referred S. B. No. 315,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

FAIRCHILD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highway and Motor Traffic, to whom was referred S. B. No. 204,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, but printed in the Journal.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highway and Motor Traffic, to whom was referred S. B. No. 254,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed, but printed in the Journal.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 236,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred S. B. No. 314,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 253,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 148,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

S. B. No. 285,

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,
Austin, Texas, Feb. 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 255.

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

TWENTY-EIGHTH DAY.

Senate Chamber,
Austin, Texas,

Wednesday, February 18, 1925.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following Senators answering to their names:

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Cooke.	Wirtz.
Moore of Hunt.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	